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22879 7590 08/04/2011
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
3404 E. Harmony Road
Mail Stop 35
FORT COLLINS, CO 80528

EXAMINER

MADAMBA, CLIFFORD B

ART UNIT

PAPER NUMBER

3695

DATE MAILED: 08/04/2011

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/757,323	01/14/2004	Kemal Guler	200309423-1	3497

TITLE OF INVENTION: SYSTEM AND METHOD FOR COMPARING RESULTS OF MULTIPLE LOT AUCTIONS USING DIFFERENT SEQUENCING RULES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	11/04/2011

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

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B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** **Mail Stop ISSUE FEE**
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INSTRUCTIONS: This form should be used for transmitting the **ISSUE FEE** and **PUBLICATION FEE** (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

22879 7590 08/04/2011
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Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10757,323 01/14/2004 **Kemal Guler** 200309423-1 3497

TITLE OF INVENTION: SYSTEM AND METHOD FOR COMPARING RESULTS OF MULTIPLE LOT AUCTIONS USING DIFFERENT SEQUENCING RULES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	11/04/2011

EXAMINER	ART UNIT	CLASS-SUBCLASS
MADAMBA, CLIFFORD B	3695	705-035000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB-112) attached;
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB-117; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.111. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reuply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

- ☐ a. Applicant claims **SMALL ENTITY** status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming **SMALL ENTITY** status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.**

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Kemal Guler

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Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1737 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1737 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Notice of Allowability**Application No.**

10/757,323

Examiner

CLIFFORD MADAMBA

Applicant(s)

GULER ET AL.

Art Unit

3695

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/16/2011.
2. ☒ The allowed claim(s) is/are 1-14 and 16-23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/CHARLES KYLE/
Supervisory Patent Examiner, Art Unit 3695

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after BPAI Decision (Examiner Affirmation). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office Action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 16 May 2011 has been entered.

Status of Claims

This action is in reply to the remarks filed on 16 May 2011.

Claims 1, 9, 13, 16-18 have been amended.

Claim 23 has been added.

Claim 15 has been canceled.

Claims 1-14 and 16-23 are pending and have been examined.

The following amendments to the claims suggested by Applicant are duly noted:

Claim 1: (Currently Amended) A method of evaluating sequencing rules for a multiple lot auction, comprising:

obtaining a next set of bids from a plurality of simulated bidders;

simulating the multiple lot auction using the next set of bids and a sequencing rule until simulated bidding on all lots is closed,

wherein the simulating comprises:

identifying a set of potentially profitable lots for each bidder based on current simulated bid prices;

determining first and second utilities for each potentially profitable lot for each bidder wherein the first and second utilities are calculated as a function of a variable representing the bidder's aversion to risk, and the first utility is for a set of the profitable lots the bidder is currently winning and the second utility is for a set of the profitable lots the bidder will win if bids for the set are accepted;

calculating a utility gain value based on a difference between the first and second utilities; and

accepting bids for lots from the multiple lot auction based on the utility gain value;

simulating the multiple lot auction using a different sequencing rule until bidding on all lots is closed; and

comparing results of the simulated auctions with both sequencing rules, wherein the sequencing rules determine how closing times for accepting any

bids are ordered among each of the lots.

Claim 2: (Original) The method of claim 1 wherein simulating the multiple lot auction with each sequencing rule comprises simulating a multiple lot, reverse auction.

Claim 3: (Original) The method of claim 1 wherein simulating the multiple lot auction with each sequencing rule further comprises processing a bid from the next set of bids.

Claim 4: (Original) The method of claim 3 wherein processing a bid from the next set of bids comprises at least one act selected from a group consisting of recording the bid, resetting a closing time, and permitting each simulated bidder to be informed of the bid being processed.

Claim 5: (Original) The method of claim 1 wherein obtaining the next set of bids comprises determining, for each of a plurality of simulated bidders, whether the bidder is to submit a bid, when the bidder is to submit a bid, and an amount of the bid.

Claim 6: (Original) The method of claim 5 wherein, if a simulated bidder submits a bid, the bid is submitted according to a random time interval.

Claim 7: (Original) The method of claim 1 wherein simulating the multiple lot auction comprises simulating auction time.

Claim 8: (Original) The method of claim 1 wherein comparing results comprises, for each simulated auction, determining a metric selected from a group consisting of total procurement cost of all of the lots in the multiple lot auction, average procurement cost per lot, and mean procurement cost per lot.

Claim 9: (Currently Amended) A storage medium containing code that can be executed by a processor and, when executed, causes the processor to:

select a first sequencing rule that dictates how multiple lots in a multiple lot auction are to be auctioned to bidders;

simulate a multiple lot auction using said first sequencing rule until bidding on all lots is closed wherein the processor is caused to simulate the multiple lot auction by identifying a set of potentially profitable lots for each bidder based on current simulated bid prices;

determining first and second utilities for each potentially profitable lot for each bidder wherein the first and second utilities are calculated as a function of a variable representing the bidder's aversion to risk, and the first utility is for a set of the profitable lots the bidder is currently winning and the second utility is for a set of the profitable lots the bidder will win if bids for the set are accepted;

calculating a utility gain value based on a difference between the first and second utilities; and

accepting bids for lots from the multiple lot auction based on the utility gain value;

evaluate results of the auction;

select a second sequencing rule, simulate the multiple lot auction using said second sequencing rule until simulated bidding on all lots is closed, and evaluate results of the auction, wherein the first and second sequencing rules determine how closing times for accepting any bids are ordered among each lot of the multiple lot auction; and

determine a metric for each simulated auction.

Claim 10: (Original) The storage medium of claim 9 wherein the metric comprises a metric selected from a group consisting of total cost of all of the lots in the multiple lot auction, average cost per lot, and mean cost per lot.

Claim 11: (Original) The storage medium of claim 9 wherein the code further causes the processor to compare the metrics from the simulated auctions.

Claim 12: (Original) The storage medium of claim 9 wherein the code further causes the processor to model behavior of a plurality of simulated bidders.

Claim 13: (Currently Amended) A system, comprising:

a processor; and

storage coupled to the processor and containing an application that is executable by the processor;

wherein, when executed, the application causes the processor to simulate a multiple lot auction using a plurality of sequencing rules and determine a metric associated with each simulated multiple lot auction, the metric usable to evaluate results of the simulated multiple lot auction, wherein the plurality of sequencing rules determine how closing times for accepting any bids are ordered among each of lot of the multiple lot auction, and the processor is caused to simulate the multiple lot auction by identifying a set of potentially profitable lots for each bidder of a plurality of bidders based on current simulated bid prices;

determining first and second utilities for each potentially profitable lot for each bidder wherein the first and second utilities are calculated as a function of a variable representing the bidder's aversion to risk, and the first utility is for a set of the profitable lots the bidder is currently winning and the second utility is for a set of the profitable lots the bidder will win if bids for the set are accepted;

calculating a utility gain value based on a difference between the first and second utilities; and accepting bids for lots from the multiple lot auction based on the utility gain value.

Claim 14: (Original) The system of claim 13 wherein the processor prevents a simulated bidder from winning two lots that are incompatible.

Claim 15: (Canceled).

Claim 16: (Currently Amended) The system of claim [[15]] 13 wherein the processor eliminates lots from bidding by a simulated bidder if the expected utility gain value for that lot and bidder is less than a threshold.

Claim 17: (Currently Amended) The system of claim [[15]] 13 wherein the processor eliminates lots from bidding by a simulated bidder if the expected utility gain value for that lot and bidder is less than a maximum value.

Claim 18: (Currently Amended) A system, comprising:

means for simulating bids in a simulated multiple lot auction, wherein the simulating comprises identifying a set of potentially profitable lots for each bidder of a plurality of bidders based on current simulated bid prices;

determining first and second utilities for each potentially profitable lot for each bidder wherein the first and second utilities are calculated as a function of a variable representing the bidder's aversion to risk, and the first utility is for a set of the profitable lots the bidder is currently winning and the second utility is for a set of the profitable lots the bidder will win if bids for the set are accepted;

calculating a utility gain value based on a difference between the first and second utilities; and

accepting bids for lots from the multiple lot auction based on the utility gain value;

means for selecting a bid from the simulated bids for each of a plurality of lots in the multiple lot auction;

means for sequencing bidding on each of the plurality of lots in accordance with a first sequencing rule, wherein the first sequencing rule determines how closing times for accepting any bids are ordered among each of the lots; and

means for determining a first metric associated with the simulated multiple lot auction.

Claim 19: (Original) The system of claim 18 further comprising means for simulating the multiple lot auction using a second sequencing rule and means for determining a second metric associated with the simulated multiple lot auction when using the second sequencing rule.

Claim 20: (Original) The system of claim 19 further comprising means for comparing the first and second metrics.

Claim 21: (Original) The system of claim 18 further comprising means for simulating time in the multiple lot auction.

Claim 22: (Original) The system of claim 18 wherein the multiple lot auction comprises a reverse auction.

Claim 23: (New) The method of claim 1, wherein the simulating comprises calculating base quantity

$$\left[\beta_i + (1 - \beta_i) \times \frac{\text{base quantity}_i}{\text{lot quantity}} \right] \times U_{si}$$

to determine a per unit cost for each item in a lot for each bidder, and β_i is associated with the cost to supply an item i , and U_{si} is a multivariate random variable having dimensions of a number of bidders by a number of items in the lot.

Allowable Subject Matter

Claims 1-14 and 16-23 are allowed. The drawings filed on 14 January 2004 are acceptable.

Reasons for Allowance

The following is the Examiner's statement of reasons for allowance. The cited prior art taken alone or in combination fails to teach the claimed invention set forth in claim 1.

Specifically, the invention set forth is directed towards simulating a multiple lot auction using a sequencing rule until bidding on all lots is closed, simulating the multiple lot auction using a different sequencing rule until bidding on all lots is closed, and comparing results of the simulated auctions with both sequencing rules.

The best prior art of record available, Pinker et al., Using Transaction Data for the Design of Sequential, Multi-Unit Online Auctions, University of Rochester, William E. Simon Graduate School of Business Administration, Computer and Information Working Paper Series No. CIS 00-03, October 2001 ("Pinker"), in view of Heimermann, U.S. 7,110,976 ("Heimermann"), further in view of Wurman et al., Specifying Rules for Electronic Auctions, July 11, 2002 ("Wurman"), neither discloses nor fairly suggests the feature of:

simulating the multiple lot auction using the next set of bids and a sequencing rule until simulated bidding on all lots is closed,

wherein the simulating comprises:

identifying a set of potentially profitable lots for each bidder based on current simulated bid prices;

determining first and second utilities for each potentially profitable lot for each bidder wherein the first and second utilities are calculated as a function of a variable representing the bidder's aversion to risk, and the

first utility is for a set of the profitable lots the bidder is currently winning and the second utility is for a set of the profitable lots the bidder will win if bids for the set are accepted;

calculating a utility gain value based on a difference between the first and second utilities; and

accepting bids for lots from the multiple lot auction based on the utility gain value;

simulating the multiple lot auction using a different sequencing rule until bidding on all lots is closed; and

comparing results of the simulated auctions with both sequencing rules, wherein the sequencing rules determine how closing times for accepting any bids are ordered among each of the lots.

No secondary reference was found which would fairly combine with Pinker in view of Heimermann in view of Wurman to make the claimed invention.

For these reasons above, claim 1 is deemed to be allowable over the cited prior arts of record. Independent claims 9, 13 and 18 recite similar subject matter as independent claim 1 and are allowable based on the same rationale as above. Claims 2-8, 10-12, 14, 16-17 and 19-23 are allowed for their dependency on the allowed independent claim.

Conclusion

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee, and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should clearly be labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clifford Madamba whose telephone number is 571-270-1239. The examiner can normally be reached on Mon-Thu 7:30-5:00 EST Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Kyle, can be reached at 571-272-6746. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/757,323
Art Unit: 3695

Page 14

/Clifford Madamba/
Patent Examiner, Art Unit 3695

/CHARLES KYLE/
Supervisory Patent Examiner, Art Unit 3695